

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Katsumi TOMIOKA

Date: October 24, 2001

Serial No.:

Group Art Unit:

Filed:

Examiner:

For: OPTICAL SUBSCRIBER SYSTEM AND TRANSMISSION LINE DISTANCE  
MONITORING METHODAsst. Commissioner for Patents  
Washington, D.C. 20231**AMENDMENT/SUBMISSION**

Prior to examination, please amend the application as follows.

**FEE CALCULATION**

Any additional fee required has been calculated as follows:

 If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	EXTRA PRESENT	RATE	ADDIT. FEE
TOTAL 12	MINUS 20	* = 0	X (\$9 SE or \$18)	\$
INDEP. 2	MINUS 3	** = 0	X (\$42 SE or \$84)	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM			X (\$140 SE or \$280)	\$

\* not less than 20 \*\* not less than 3

TOTAL \$ -----

If any additional payment is required, a check which includes the calculated fee of \$ \_\_\_\_\_  
 (OFGS Check No. \_\_\_\_\_) is attached.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

## **CONTINGENT EXTENSION REQUEST**

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

## **AMENDMENTS**

X If checked, amendment(s) to the specification and/or claims are submitted herewith.

1. \_\_\_\_ If checked, an abstract is submitted as the last page of Appendix A.

### **2. Specification:**

Please delete the paragraph(s)/section(s) beginning at page, and replace such paragraph(s)/section(s) pursuant to 37 C.F.R. § 1.121(b)(ii) with the “clean” version attached hereto as Appendix A. Entry is respectfully requested. A version with markings to show the changes made pursuant to 37 C.F.R. § 1.121(b)(iii) is attached hereto as Appendix B.

### **3. Claims:**

Please cancel claims \_\_\_\_ without prejudice.

Please amend claims 4 and 8 and add new claims 9-12 pursuant to 37 C.F.R. § 1.121(c)(i) as set forth in the “clean” version attached hereto as Appendix A. Entry is respectfully requested. A version with markings to show the changes made pursuant to 37 C.F.R. § 1.121(c)(ii) is attached hereto as Appendix B.

\_\_\_\_ If checked, the optional complete set of “clean” claims pursuant to 37 C.F.R. § 1.121(c)(3) is attached hereto as Appendix C.

## REMARKS/ARGUMENT

This Preliminary Amendment is being submitted to change the multiple dependent claims to single dependent claims in order to reduce the government filing fee.

### EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label # EL918242951US) in an envelope addressed to: Asst. Commissioner for Patents, Washington, D.C. 20231, on October 24, 2001:

Dorothy Jenkins

Name of Person Mailing Correspondence

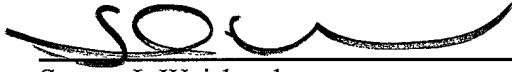


Signature

October 24, 2001

Date of Signature

Respectfully submitted,

  
Steven I. Weisburd

Registration No.: 27,409

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas

New York, New York 10036-8403

Telephone: (212) 382-0700

SIW/jc

**APPENDIX A**  
**“CLEAN” VERSION OF EACH PARAGRAPH/SECTION/CLAIM**  
**37 C.F.R. § 1.121(b)(ii) AND (c)(i)**

**CLAIMS (with indication of amended or new):**

(Amended) 4. The optical subscriber system according to claim 1, which, when the transmission line distance is larger than the reference value, issues an alarm.

(Amended) 8. The method according to claim 5, wherein, when the transmission line distance is larger than the reference value, an alarm is issued.

(New) 9. The optical subscriber system according to claim 2, which, when the transmission line distance is larger than the reference value, issues an alarm.

(New) 10. The optical subscriber system according to claim 3, which, when the transmission line distance is larger than the reference value, issues an alarm.

(New) 11. The method according to claim 6, wherein, when the transmission line distance is larger than the reference value, an alarm is issued.

(New) 12. The method according to claim 7, wherein, when the transmission line distance is larger than the reference value, an alarm is issued.

**APPENDIX B**  
**VERSION WITH MARKINGS TO SHOW CHANGES MADE**  
**37 C.F.R. § 1.121(b)(iii) AND (c)(ii)**

**CLAIMS:**

4. The optical subscriber system according to [any one of claims 1 to 3] claim 1, which, when the transmission line distance is larger than the reference value, issues an alarm.
  
8. The method according to [any one of claims 5 to 7] claim 5, wherein, when the transmission line distance is larger than the reference value, an alarm is issued.

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